

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK

Return Date: February 4, 2014
Time: 10:00 a.m.

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In re:

EDUARD NATANOV

Chapter 13
Case No.: 113-45829-608

Debtor(s)

NOTICE OF MOTION

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SIRS / MADAMS:

PLEASE TAKE NOTICE, that MICHAEL J. MACCO, Chapter 13 Trustee of the above captioned estate, will move before the Honorable Carla E. Craig, United States Bankruptcy Judge, on the 4th day of FEBRUARY, 2014 at 10:00AM, at the United States Bankruptcy Court located at 271 Cadman Plaza East – Courtroom 3529, Brooklyn, New York 11201, for an Order pursuant to 11 U.S.C. §§ 503(b), 521, 1307(c), & 1326(a)(2), dismissing this case, by reason of the debtor(s)' failure to file and/or provide documents, failure to appear at the adjourned confirmation hearing, paying to the Trustee reasonable, necessary costs and expenses, and for such other and further relief as this Court deems just and proper.

PLEASE TAKE FURTHER NOTICE, that answering papers, if any, shall be filed with the Court and served on the undersigned no later than seven (7) days prior to the return date of this motion.

Dated: Melville, New York
January 17, 2014

Yours, etc.

MICHAEL J. MACCO
Chapter 13 Trustee
135 Pinelawn Road, Suite 120 South
Melville, New York 11747
(631) 549-7900

To: *Office of the United States Trustee*
Eduard Natanov
Maxim Maximov, Esq., Attorney for Debtor(s)
Wells Fargo Bank, NA, Creditor

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK

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In re:

EDUARD NATANOV

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Chapter 13

Case No.: 113-45829-608

Debtor(s)

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APPLICATION

TO THE HONORABLE CARLA E. CRAIG, UNITED STATES BANKRUPTCY JUDGE:

MICHAEL J. MACCO, Chapter 13 Trustee of the above captioned estate, respectfully represents, as follows:

1. The debtor(s) filed a petition under the provisions of 11 U.S.C. Chapter 13 on September 25, 2013, and thereafter MICHAEL J. MACCO was duly appointed and has qualified as Trustee.
2. As of this date of this motion, the debtor(s) has failed to provide the Trustee with corporate operating reports with bank statements attached; an amended Schedule J; proof of post-petition mortgage payments or turnover to Trustee; and withdrawal from objection to confirmation.
3. In addition, the debtor(s) failed to appear at the adjourned confirmation hearing, held on January 14, 2014 at 10:00 a.m.
4. Furthermore, prior to the court hearing, an additional \$600.00 representing the January payment is due.
5. This is a material default and is prejudicial to the rights of the creditors of the debtor.

WHEREFORE, the Trustee prays for an Order pursuant to the provisions of 11 U.S.C. §§ 503(b), 521, 1307(c), & 1326(a)(2), dismissing this case, and paying to the Trustee reasonable, necessary costs and expenses, and for such other and further relief as this Court deems just and proper.

Dated: Melville, New York
January 17, 2014

/s/ Michael J. Macco
Michael J. Macco, Chapter 13 Trustee
135 Pinelawn Road – Suite 120 South
Melville, New York 11747
(631) 549-7900

STATE OF NEW YORK)
COUNTY OF SUFFOLK) ss.:

LONI BRAGIN, being duly sworn deposes and says: deponent is not a party to this action, is over 18 years of age and resides in Suffolk County, New York.

On January 17, 2014, deponent served the within:

NOTICE OF MOTION AND APPLICATION

upon the following parties, at the addresses designated by said parties for that purpose, by depositing a true copy of same, enclosed in a post-paid, properly addressed wrapper in an official depository under the exclusive care and custody of the United States Postal Service within the State of New York:

*Office of the United States Trustee
U.S. Federal Office Building
201 Varick Street, Ste. 1006
New York, NY 10014*

*Eduard Natanov
84-01 Main Street, Ste. Apt. 202
Jamaica, NY 11435*

*Maxim Maximov, Esq.
Attorney for Debtor(s)
1600 Avenue M, 2nd Floor
Brooklyn, NY 11230*

*Wells Fargo Bank, NA
c/o McCabe, Weisberg & Conway
145 Huguenot Street, Ste. 210
New Rochelle, NY 10801*

/s/ Loni Bragin
LONI BRAGIN

Sworn to before me this
17th day of JANUARY, 2014

/s/ Janine M. Zarrilli
NOTARY PUBLIC
Janine M. Zarrilli
Notary Public, State of New York
No. 01ZA5084708
Qualified in Nassau County
Commission Expires September 8, 2017